

SECTION III—REMARKS

This amendment is submitted in response to the Office Action mailed August 27, 2003, which action the Examiner made final. In this amendment claim 55 is amended, claims 62-63 are cancelled, and new claims 76-89 are added. Claims 55-61 and 64-89 remain pending in the application. Applicants respectfully request allowance of all pending claims in view of the above amendments and the following remarks.

Allowed Claims

The Examiner allowed claims 71-75. None of these claims are amended herein, so they continue to be allowed.

Claim Objections

The Examiner objected to claims 56-63 and 66-70 for being dependent upon a rejected base claim, but indicated that these claims would be allowable if re-written in independent form to include all the limitations of the base claim and any intervening claims.

Claim 55 has been amended to include the subject matter of claim 62. Applicants submit that claim 55 is now in condition for allowance, and respectfully request withdrawal of the rejection and allowance of the claim. Regarding claims 56-61 and 64-70, if an independent claim is allowable, then any claim depending therefrom is also allowable. *See, e.g.*, MPEP § 2143.03; *In re Fine*, 837 F.2d 1071 (Fed. Cir. 1988). As discussed above, claim 55 is in condition for allowance. Applicants therefore submit that claims 56-61 and 64-70 are allowable by virtue of their dependence on allowable claim 55, as well as by virtue of the features recited therein. Applicants therefore respectfully request allowance of these claims.

New independent claim 76 combines the limitations of claim 55 and claim 63. Applicants submit that claim 76 is therefore in condition for allowance, and respectfully request withdrawal of the rejection and allowance of the claim. New dependent claims 77-89 depend on claim 76 and substantially duplicate the limitations recited in claims 56-61 and 64-70. Applicants therefore submit that claims 77-89 are allowable by virtue of their dependence on allowable claim 76, as well as by virtue of the features recited therein.

Rejections Under 35 U.S.C. § 102

The Examiner rejected claims 55 and 64-65 as anticipated under 35 U.S.C. § 102(a) by Hsu, Wan-Thai, *Mechanically Temperature-Compensated Flexural Mode Micro-Mechanical Resonator*, IEEE, Dec 12, 2000 (hereinafter "Hsu"). Applicants respectfully submit that the rejections are rendered moot by the above amendments.

Conclusion

Given the above amendments and accompanying remarks, all claims pending in the application are in condition for allowance. If the undersigned attorney has overlooked a teaching in any of the cited references that is relevant to allowance of the claims, the Examiner is requested to specifically point out where such teaching may be found. Further, if there are any informalities or questions that can be addressed via telephone, the Examiner is encouraged to contact the undersigned attorney at (206) 292-8600.


Charge Deposit Account

Please charge our Deposit Account No. 02-2666 for any additional fee(s) that may be due in this matter, and please credit the same deposit account for any overpayment.

Respectfully submitted,

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Date: 10-23-03


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